

Approval Required in Any Case

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President Bans Use of Wiretapping Unless Security of U.S. Is at Stake

Associated Press

President Johnson has forbidden wiretapping by anybody in his Administration except when national security is at stake, his press secretary said yesterday. Advance approval for the exceptions must be obtained from the attorney general.

Press Secretary Bill D. Moyers said the president laid down that rule for his staff soon after he entered the White House and underscored it recently in a message to cabinet officers and agency chiefs.

Moyers described Mr. Johnson's stand when a reporter asked about the President's view of a Senate investigation which has heard testimony that Internal Revenue agents used wiretapping in two cases.

"I know that the President feels that what the Senate

Committee is doing is in the public interest and that it is doing a service for the country," Moyers said.

He said Mr. Johnson believes there may be cases in which wiretapping is essential to protect the national interest but "it must not be condoned or tolerated under any other circumstances and never, never, without the approval of the attorney general."

Meanwhile, Commissioner Sheldon Cohen of the Internal Revenue Service refused yesterday to turn over to Senate investigators what he called internal reports of his inquiry into wiretapping by IRS agents in Pittsburgh, Pa.

The affidavits were submitted to IRS headquarters on agent wiretapping and bugging activity, which included breaking into an attorney's office in Washington, Pa., and placing a listening device behind a bookcase.

Agents who testified before a Senate judiciary subcommittee Wednesday refused to turn over copies of their affidavits, saying they were under orders to take that stand. That prompted Chairman Edward V. Long (D-Mo.) to recall Cohen to the witness stand.

The Commissioner was the first witness when the subcommittee opened hearings Tuesday into wiretapping by IRS agents in Pittsburgh as part of the subcommittee's inquiry into government snooping techniques.

"I will not tolerate wiretapping among my people," Cohen told the subcommittee. He said he will do everything in his power to make certain that wiretapping is not used again by his agents.